

August 8, 2012

Governor Matt Mead
State Capitol, 200 West 24th Street
Cheyenne, WY 82002-0010

Re: Grant program for cistern systems in the Pavillion Area

Dear Governor Mead,

On behalf of Pavillion Area Concerned Citizens and our members, we would like to thank you for taking action to address one of the impacts we have from groundwater contamination in the Pavillion area. The grant money you have helped make available for cisterns at impacted homes in our community will help ensure clean household water. We hope the cisterns may be a first step to alleviate some of the serious impacts we face from living with groundwater contamination and oil and gas development.

Many of our members who live in the affected area would like more information about the cisterns program and how it will move forward. You may have already heard some of their questions such as the ones we have outlined below.

We understand that the first deadline for applying for the cisterns grant money is August 15, 2012. Although we appreciate your reasons for moving forward quickly, we feel that the August 15th deadline does not give homeowners enough time to decide if they would like to participate. Our concerns are that there has not been adequate information about cistern design, how the program will be implemented and how participants will be held responsible and liable in the future.

We were happy to hear, at the July 24, 2012 Pavillion Working Groups meeting held in Casper, that there would be a second opportunity to apply for the cisterns. We believe more time will allow residents to make a better informed decision about whether a cistern system will be a good fit for them. Please explain how the second application period will be determined and when the next deadline will be.

A written answer to the questions and requests we have listed below, as well as any other information you feel is important, will be greatly appreciated.

1. Please provide contact information for the companies who will be constructing and installing the cisterns and associated infrastructure.
2. Please provide design specifics including size and capacity of cisterns and any information about the needs and expense to operate the system:
 - Should individual home owners apply for a specific size of cistern and specific capacity, or will only one size and capacity be offered?
 - If only one size is being offered by the state, will there be opportunity for home owners to up-grade size, capacity and/or systems?

- Anticipated and/or estimated electricity needed to run the cistern system and provide adequate protection from weather temperatures and conditions for the cistern and infrastructure.
3. Please provide an explanation of what will be included with the cistern;
 - Will homeowners be responsible for any parts of the system such as specific electrical needs, wiring, insulation for cisterns or piping, pumps, household connections, etc.?
 - Will all dirt work needed for installation be included in the grant money?
 4. Please provide a written explanation of the terms and time limits for warranty on the cisterns and system infrastructure, as well as any construction, parts or infrastructure that will not be included in the warranty.
 5. Please explain any and all liability limitations, including any limitations on disputes over groundwater and groundwater contamination, private wells and private well contamination, household drinking water and water systems, health issues and impacts, property values and any other issues that may arise out of the same facts and circumstances that are evaluated and considered for participation in the cistern grant program.
 6. Please provide to us, for review, the contract the state is requiring homeowners to sign when entering into the grant program.
 7. Please provide a written explanation of what will be required by the state or others in regards to testing private water wells. In addition please provide information on what will be tested for, what labs will be used to determine analytical data, how the test results will be used, what data will be provided to private well owners and how the data and information will be provided to the private well owners.

Thank you again for continuing to be involved in the difficult issues we face in the Pavillion Area.

Respectfully,

John Fenton, Chair
Pavillion Area Concerned Citizens
202 Indian Ridge Road
Pavillion, Wyoming 82523

Cc: John Corra, WDEQ
Ayn Schmit, EPA
Gregory Oberley, EPA
Wilma Tope, PRBRC